

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ZUPEI GONG,

Plaintiff,

-against-

YI-JIA CHINESE RESTAURANT and
LIU CHIA-YUN,

Defendants.

ORDER
10 CV 5886 (RJD)(LB)

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BLOOM, United States Magistrate Judge:

The Court held a settlement conference on December 20, 2011 and the parties reached a settlement on the record. As this is a FLSA case, in order “to protect employees from inequality in bargaining powers” a FLSA settlement must be supervised by the Secretary of Labor or judicially approved. Marfak v. Peretta, No. 10 Civ. 7785 (DLC), 2011 WL 178625, at *1 (S.D.N.Y. May 6, 2011) (citing D.A. Schulte, Inc., 328 U.S. at 115). When reviewing a proposed FLSA settlement agreement, “[t]he Court needs to be presented with sufficient evidence in order to determine whether the settlement agreement represents a fair and reasonable resolution of the disputes.” Mosquera v. Masada Auto Sales, Ltd., No. 09 CV 4925 (NGG), 2011 WL 282327, at *1 (E.D.N.Y. Jan. 25, 2011) (internal quotation marks and citation omitted). The Court notes that the settlement agreement is a “judicial document[] to which a presumption of public access applies.” Martinez v. Ragtime Foods of New York, Inc., No. 11 CV 1483 (JG), 2011 WL 5508972, at * 1 (E.D.N.Y. Nov. 10, 2011) (citation omitted).

Accordingly, the parties shall file the settlement agreement by December 30, 2011. Should the parties consent under 28 U.S.C. § 636(c) to the jurisdiction of a magistrate judge, they shall

electronically file the signed consent form, settlement agreement, and any supporting documents, which I shall promptly review.

SO ORDERED.

/S/

LOIS BLOOM

United States Magistrate Judge

Dated: December 21, 2011
Brooklyn, New York